

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

§

*Plaintiff,*

§

v.

CASE NO. 7:20-CV-329

0.382 ACRES OF LAND, MORE OR LESS,  
SITUATE IN STARR COUNTY,  
STATE OF TEXAS; AND JESUS  
ALVAREZ, JR., ET AL.,

§

*Defendants.*

§

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**JOINT STATUS REPORT**

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The United States of America (“United States”), through the undersigned Assistant United States Attorney, and Defendant Jesus Alvarez, Jr., through Attorney Peter McGraw, (collectively, “Parties”) file this joint status report in accordance with the Court’s June 01, 2021 order:<sup>1</sup>

1. The United States filed an Amicus Brief Regarding Ownership of the Subject Property on May 27, 2021.<sup>2</sup> On the same day, Defendant Jesus Alvarez, Jr. had filed a Motion Seeking Determination of Ownership and Motion to File Exhibits Under Seal, which also address title issue in the present matter.<sup>3</sup> Accordingly, the Parties agree that title issue in the present matter is ripe for the Court’s consideration.
2. Upon the Court’s determination of title, the Parties will seek a determination of just compensation and request that the Court set a status conference or issue a scheduling order for said issue. To be noted, as the Parties request a determination of just

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<sup>1</sup> Dkt. No. 48.

<sup>2</sup> Dkt. No. 43.

<sup>3</sup> Dkt. Nos. 45 & 46.

compensation, the two pending motions—Defendant Jesus Alvarez, Jr.’s Rule 71.1(i)(1)(C) Motion to Dismiss Plaintiff’s Complaint in Condemnation and Declaration of Taking<sup>4</sup> and United States’ Opposition to Defendant’s Motion to Dismiss and Cross-Motion to Strike Improper Defenses Motion to Strike<sup>5</sup>—will become ripe for the Court’s consideration.<sup>6</sup>

Respectfully submitted,

**JENNIFER B. LOWERY**  
Acting United States Attorney  
Southern District of Texas

*By:* s/J Chanmealea Thou  
**CHANMEALEA THOU**  
Assistant United States Attorney  
Southern District of Texas No. 3596627  
California Bar No. 326469  
11204 McPherson Road, Suite 100A  
Laredo, Texas 78045  
Telephone: (956) 721-4977  
Facsimile: (956) 992-9425  
E-mail: Chanmealea.Thou2@usdoj.gov  
Attorney in Charge for Plaintiff

FOR DEFENDANTS

s/J Peter McGraw w/ Permission  
**PETER McGRAW**  
Attorney in Charge for Defendant Jesus Alvarez, Jr.  
Texas Bar No. 24081036  
S.D. Tex. No. 2148236  
1206 East Van Buren St.  
Brownsville, Texas 78520  
Phone: (956) 982-5543  
Fax: (956) 541-1410  
Email: [pmcgraw@trla.org](mailto:pmcgraw@trla.org)

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<sup>4</sup> Dkt. No. 22.

<sup>5</sup> Dkt. No. 28.

<sup>6</sup> See Dkt. No. 40.

**CERTIFICATE OF SERVICE**

I, Chanmealea Thou, Assistant United States Attorney for the Southern District of Texas, hereby certify that on this 10th day of August 2021, a copy of the foregoing will be served via regular U.S. mail on all parties who do not receive ECF notification in accordance with the Federal Rules of Civil Procedure.

*s/ Chanmealea Thou*  
CHANMEALEA THOU  
Assistant United States Attorney